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Schedules- Part 1 & 2



In exercise of the powers conferred on the Minister responsible for Works and Housing by section 63 of the Local Government Act 1993 (Act 462) and in consultation with the Minister responsible for Local Government these Regulations are made this 27th day of September, 1996.

PART I—Application of Regulations and Building Plans

These Regulations shall apply to the erection, alteration or extension of a building as defined in these Regulations unless otherwise provided in these Regulations.

Any person who intends to—

- erect any building; or
- make any structural alteration to any building; or
- execute any works or install any fittings in connection with any building shall apply in Form A specified in Part 1 of Schedule 1 to these Regulations to the District Planning Authority of the district where the building, structure or works is or is intended to be and shall submit in duplicate the relevant plans with the Form.

An applicant under regulation 2 shall satisfy the District Planning Authority that he has good title to the land relevant to the plans. No approval shall be granted to any applicant who does not have a good title to the land, and, for the purposes of this regulation, good title shall be in accordance with a certificate issued by the Chief Registrar of Land Titles or any other agency so authorised. The buildings specified in column I of Part II of Schedule I are to the extent provided in relation to them in column 2 exempted from the requirement for submission of building plans under regulation. Except as provided under subregulation (1) of this regulation all other provision of these Regulations shall as are relevant apply to the buildings.

Plans submitted with an application under regulation 2 shall indicate sections, elevations, calculations and drawings, specifications of materials and such other particulars as the District Planning Authority may consider necessary to show whether the proposed building or work complies with these Regulations. The applicant shall also submit to the District Planning Authority a certificate signed by a Licensed Surveyor to the effect that the corners of the plot on which the building or work is to be carried out have been demarcated on the ground in a permanent manner in accordance with the site plan.

All plans, sections and elevations required by the District Planning Authority shall be prepared by a person qualified to design the type of building in accordance with the provisions relating to such building as provided under these Regulation and shall—be clearly and accurately delineated in ink or otherwise in a suitable permanent manner on a suitable and durable material to a scale of not less than 1:100 or if the building is so extensive as to render a smaller scale necessary, not less than 1:200; describe the class or nature of the building and show clearly for what purpose every room or part of the building is to be used; indicate the stages and method by which it is intended to construct the building if it is not to be built in one operation; indicate the materials of which the building will be constructed; and show clearly and accurately the position, form and dimensions of the foundations, walls, floors, rooms and the several parts of the buildings; indicate the method of disposal of stormwater, domestic waste-water and sewage, which shall be drawn on a block plan to a scale of not less than 1:1250 or 1:2500 in the case of extensive sites, showing the alignment sizes and invert levels of existing or proposed drains (in relation to Ordinance Datum) including manholes, gullies, vent pipes, septic tanks, soak-aways and sewers; indicate the means of water supply and the position of existing and proposed underground water mains and pipes, including all mains and pipes within 30 metres of the site; include a plan of every floor and complete sections of the foundations and of every storey, floor and roof of the building; include a site plan to a scale of 1:1250 or 1:2500 as required by the District Planning Authority showing the position of the site and all overhead and underground services and adjoining streets roads and lanes and any further information which may be required to make the site easily identifiable; show specifically on the site plan the boundaries of sites, the position and heights of buildings on adjoining properties, the widths and Ordinance

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Datum levels of any street or land upon which the site may abut, and the Ordinance Datum level or the lowest floor of the proposed building; differentiate clearly between new work and existing work, if the permit applied for is for work on an existing building; and any other particulars as the District Planning Authority may require. The plans shall be signed by the person who prepared the plans, drawing or other relevant document. A building or group of buildings with an aggregate floor area in excess of 120 square metres, and of two storeys and above in height shall be designed by an architect or any of the following professionals a civil engineer; a structural engineer; or a professional builder, but this description excludes draughtsman a licensed building surveyor and a building technician with a qualification lower than the higher technician diploma, except that a building within a metropolitan or urban area shall be designed by an architect in consultation with a professional specified in this regulation.

The District Planning Authority to which plans have been submitted may in the exercise of its power under section 64 of the Local Government Act, 1993 (Act 462), grant the building permit in Form B specified in Schedule 1 Part III to these Regulations and may attach to the permit any conditions with respect to the proposed building or work that is not inconsistent with these Regulations including the condition that the applicant shall submit such further information or details as may be required by the District Planning Authority from time to time as the building or work progresses.

Without prejudice to sub-regulation of this regulation the District Planning Authority may specify in a building permit the time within which the work authorised in the permit should be commenced. The period of the validity of a building permit shall ordinarily be five years, except that if the work authorized in the permit is not completed within the time stipulated the District Planning Authority may extend the period on application by the applicant or his agent who must be a person in the building design profession. Any building or work carried on after the date of expiry of a building permit and before an application to extend the period of validity has been approved is a contravention of these Regulations. A District Planning Authority may refuse to issue a building permit if the applicant has failed to complete any building or work authorised by a building permit or other approval previously granted to him.

Where a person submits an application for a building permit the District Planning Authority shall notify him within 7 days of the receipt of the application and shall within a period of 3 months thereafter notify the applicant whether the application is granted or refused. An applicant not informed of the grant or refusal of the application may after the expiry of the 3 months commence development on the basis that the application is acceptable to the District Planning Authority. A person intending to use any building methods or materials for which no provision has been made under these Regulations for building shall submit an application in writing to the District Planning Authority giving details of the methods and materials intended to be used.

The District Planning Authority may nominate an independent consultant and with the consent of the applicant appoint the consultant to report on whether the standard of durability and stability of the building to be constructed from materials or by methods not provided for in these Regulations are equal to the standard imposed by these Regulations for the use of the materials and the methods. The applicant shall pay the fee of the consultant but the Building Permit fee shall be reduced by the amount of the consultant's fee provided that the reduction shall not exceed one half of the building permit fee if the plans are approved by the District Planning Authority.

A person to whom a Building Permit has been issued referred to in these Regulations as "developer" shall give to the District Planning Authority at least forty-eight hours notice in writing indicating the date on which it is intended to begin work, and of the dates on which the following stages of construction will be ready for inspection by the District Planning Authority—

- demarcation of site of the plot and siting of the buildings;
- foundations of buildings set out;
- foundations excavated and level pegs for concreting;
- foundations concreted;
- trenches for drainage work excavated to levels and gradients;
- drains laid and joined and ready for testing;
- reinforcing steel fixed in position before concreting;
- concrete shuttering ready for striking;
- walls completed to wall-plate level; and (j) roof frame-work completed before covering.

No construction work shall be covered until it has been inspected and approved by the District Planning Authority. Where a developer is notified by The District Planning Authority in writing of any contravention of his building permit in the construction and is required to rectify the contravention, he shall within a reasonable time after the completion of the rectification, notify the District Planning Authority in writing of the completion. A developer shall give to the District Planning Authority notice in writing of—

1. The erection of a building not more than seven days after completion or if a building or part of a building is occupied before completion, not less than seven days after completion;
2. Any alteration or extension of a building, not more than seven days after completion; or
3. The execution of works or the installation of fittings in connection with a building, not more than seven days after completion.

The requirements of subregulation shall not apply to the installation of any fitting if the giving of notice and the deposit of plans, sections, specifications and written particulars are not required under any exemption permitted under these

Regulations. If the procedure laid down in subregulation of this regulation are not followed, the District Planning Authority may serve a notice requiring the owner to cut into, lay open or pull down as much of the building work as may be necessary to ascertain whether any of the provisions have been complied with and if such notice is not complied with the District Planning Authority may make an application to the nearest court to the place of the building for an order to cut into, lay open, or pull down any part of the building or work in order to carry out any tests necessary to ascertain whether these Regulations have been complied with and to charge the cost incurred to the owner.

There shall be issued in respect of a building completed to the satisfaction of the District Planning Authority a certificate of completion for habitation or use in Form C in Schedule I Part III. A District Planning Authority may for the purpose of giving effect to these Regulations, appoint a qualified building inspector within the meaning of these Regulations to oversee and inspect daily work on buildings, erections and installations.

A District Planning Authority may, in respect of any building which has in its opinion fallen into a state of disrepair or neglect, and constitutes a safety or health hazard to the public, or for aesthetic purposes serve notice in writing upon the owner of such building requiring him to carry out such reasonable repairs or painting as may be specified in the notice and within such time as may be stated in the notice. Where a person notified under subregulation fails or refuses to carry out the repairs or painting within the stipulated period, the District Planning Authority may carry out the repairs or painting and may take legal action to recover the cost involved in the work.

PART 2 —Plot Development

Sub -Part I—Location of Building

No building shall be erected on a site which has been reclaimed unless there has elapsed such period as in the opinion of the District Planning Authority there will be no danger from settlement of the foundations and the erection of a building on the site will not be inimical to health and safety. No site liable to flooding shall be built upon without adequate provision for flood control. No building shall be erected over a drain, culvert, watercourse, high tension cable or sewer; except that a District Planning Authority may pass the building plans if it considers that it can properly agree to the proposal in the circumstances of the case.

Where any watercourse or ditch is on or abuts on the site of a building, the local authority may require the owner of the land to fill it up wholly or partially, or to substitute a pipe drain or culvert. No drainage shall be permitted to be constructed on land adjoining an applicant's land where the land does not belong to the applicant unless adequate provision has been made in the approved development plans for a right to construct the drainage over or under other person's land. Where the ground on which it is proposed to build has been filthied or covered with any material impregnated with faecal, offensive, animal or vegetable matter, the District Planning Authority shall reject the plans until after the satisfactory removal or sterilization of the offensive matter.

Any site for the erection of a building for human habitation shall be adequately protected against dampness in accordance with regulations 20 and 21 of these Regulations, except where the building is intended to be used solely for storage or the accommodation of plant. No dwelling house shall be erected on a site of smaller area than 450 square meters with a frontage of less than 15 metres except where the plot is entirely surrounded by roads or lanes in which case the plot size shall be not less than 330 square metres and the frontage not less than 15 metres.

No dwelling house together with its out-buildings shall cover a greater area of the plot than the following—

single storey detached	50%
two and three storey detached	40%
single storey semi-detached	60%
two and three storey semi-detached	50%
two and three storey terrace	50%

provided that the total floor area of a residential building other than a block of residential flats shall not exceed 80 percent of the total area of the plot.

No business premises together with its out-buildings shall cover a greater area than 75 per cent of the plot and such provision shall be made as will be required by the District Planning Authority for loading, accommodation and car parking, provided that in areas zoned for residential use, no building shall cover a greater area of the plot than that provided in sub-regulation (2) of this regulation. Where the ground floor of business premises in a commercial area is used partly or solely for human habitation the area covered by the whole building shall not exceed that laid down in sub-regulation (2) of this regulation. Where the ground floor of business premises in a commercial area is used wholly for business purposes, the area covered by the ground floor shall not exceed 75 per cent of the area of the plot.

Where any floor other than [he ground floor of business premises in a commercial area is used partly or solely for human habitation any floor so used shall cover an area not greater than 35 per cent of the area of the plot. No person shall construct any building on any plot unless the building abuts upon an approved street or the site of an approved street for a distance of at least 3 metres. No out-building shall be built with an upper storey. No wall of a dwelling house shall be constructed nearer to the rear boundary of the plot than a distance equivalent to 70 per cent of the height of the wall or 3 metres whichever is the greater. No part of a dwelling house including enclosed staircases, shall be constructed nearer to side boundaries of the plot except in accordance with the following specifications.

Detached on both sides	Semi-detached on one side	Terrace at ends of terrace
One		

Storey	3.00m	3.00m
Two Storey	5.00m	5.00
Three Storey	5.00m	5.00m

In the case of business premises in non-residential areas, the business portion of the premises may be built up to the side boundaries of the site provided that no openings for light, air or access are constructed in the flank walls and provision has been made as required by the District Planning Authority for loading, accommodation and car parking. Any portion of the premises used for human habitation must conform to the provisions concerning dwelling houses.

Where more than one building is constructed on the same plot, or where opposite parts of one building are separated by a void, the distance between the nearest part of any two buildings or between opposite parts of the same building excluding the eaves, shall not be less than the height of the higher wall and in any case not less than 5 metres except for out buildings where the distance shall in no case be less than 3 metres. No out-building in a dwelling house shall contain more than one kitchen, one bathroom and two latrines. The requirements for site coverage provided in this regulation shall not necessarily apply to buildings of four storeys and over, which shall be subject to such requirements as may be laid down by the District Planning Authority for each particular case.

No part of a building, including any portico, verandah or other Projections projections (with the exception of the eaves), shall be constructed as to building lines extend beyond the building line of any street upon which the building may front, abut or adjoin unless otherwise authorised by the District Planning Authority. The eaves of any building which abuts upon any street shall not project into the street more than 600mm beyond the face of the wall of the building and shall be at a height level of not less than 3 metres above ground. Entrance gates, doors, windows and shutters shall be so hung that they open entirely on to the owner's property and in no case shall they be hung to open beyond a building line or fence line, if the building line or fence line abuts upon any street or any public road, lane or foot path.

Buildings shall normally be oriented on die East-West axis orientation, but if site problems and topography demand otherwise, other orientation axis may be considered on condition that appropriate detailing is provided to take care of natural lighting, solar penetration and ventilation. No building shall be constructed such that any part of it cuts and projects above an imaginary line from the building line on the opposite side of the street at ground level so as to produce an angle of 45 degrees to the horizontal, except in accordance with permission granted by the District Planning Authority. No building shall be allowed to intrude into areas reserved for improvement lines.

Boundary lines shall conform strictly to the approved layout development plan of the locality. Where a building abuts or adjoins a lane either at the rear or on the side, the building lines in each case shall be not less than 3 metres. No boundary wall shall be erected within 2 metres of the front of any building; and the front wall of a building shall not be less than 5 metres from the edge of a major road nor 3 metres from the edge of a minor road. Boundary and fence walls shall be constructed of wrought or cast iron work, masonry, burnt brick, cement blocks (mass or reinforced) soil blocks or a combination of any of these or other approved material and shall not exceed 2 metres in height. The front wall or the back wall if it abuts on a lane or street shall have ventilation openings with a gross area of not less than 45 per cent of the entire surface area.

No provision of these Regulations shall preclude the use of hedges for fencing. A District Planning Authority may exercise its powers to change boundary lines with respect to change of use or enlargement or reduction of any plot sizes in a revised development plan. A District Planning Authority may order that the boundary lines of corner plots or the corner of a building at a street corner or both be splayed or rounded such that the sight lines of the streets are not obstructed to cause danger to road users. The height of a building at the corner of a street shall be determined in accordance with regulations 13 and 14 of these Regulations.

Sub-Part II —Spatial Requirements

This sub-part applies only to dwelling units that are intended for use on a continuing basis as the principal residence of the occupant. Unless otherwise indicated in this regulation, the areas, dimensions and heights of rooms or spaces shall be measured between finished wall surfaces and between finished floor and ceiling surfaces. Minimum dimensions provided for rooms or spaces in combination with other rooms or spaces refer to the minimum dimensions of the combined space. Minimum floor areas specified in this regulation do not include closets or built-in bedroom cabinets unless otherwise indicated.

Two or more areas are considered as a combination room if the dividing wall occupies less than 60 per cent of the separating plane. Areas and dimensions of rooms and spaces may be less than required in this regulation provided it can be shown to the satisfaction of the District Planning Authority that the rooms and spaces are adequate for their intended use, such as die provision of built-in furniture to compensate for reduced sizes. Heights of rooms or spaces of the rooms specified in column 1 of the table provided in Schedule 2 to these Regulations shall be as provided in column 2 in relation to the rooms or spaces. The width of a hallway within a dwelling unit shall be at least 900mm.

The clear height above and below a mezzanine floor assembly in all occupancies shall not be less than 2 metres unless otherwise permitted by the District Planning Authority. The clear height in a storage space or garage shall not be less than 2m. Living areas within dwelling units, either as separate rooms or in combination with other spaces, shall have at least 13.47 square metres of floor area and shall have no

dimension of one side being less than 3m within the required areas. Where the area of a living space is combined with a kitchen and dining area, the living area alone in the dwelling unit shall be at least 11.15 square metres. A dining space in combination with other space shall have a minimum floor area of 3.25 square metres. Dining rooms not combined with other spaces shall have a minimum area of 6.50 square metres. Subject to subregulation (14) of this regulation, a dining room or space combined with other space shall have no dimension of less than 2.4 metres within the required area measured between wall faces or a wall face and a built-in cabinet or appliance.

Where a required dining area is provided in a kitchen the minimum dimension of one side of such space may be reduced to 1.7 metres. Kitchen areas within dwelling units either separate or in combination with other space shall have at least 7.43 square metres of floor area including the area occupied by the base cabinets, except that where a dining area is also provided in the kitchen, the minimum floor area shall be 3.72 square metres. At least 900mm clearance shall be provided in front of base cabinets, work surfaces, counter tops and appliances. Except as provided in subregulation (19) of this regulation at least one bedroom in every dwelling unit shall have at least 11.15 square metres of floor area where built-in cabinets are provided. The minimum dimension of one side within the required area shall be 2.7 metres.

Except as provided in subregulation Additional bedrooms shall have at least 8.36 square metres of floor area where built-in cabinets are not provided and 7.57 square metres of floor area where built-in cabinets are provided. The minimum dimension of one side within the required area shall be 2.40 metres. Bedroom spaces in combination with other spaces shall have at least 5.05 square metres of floor area and have no dimension of one side being less than 2.0 metres within the required area. In every dwelling unit an enclosed space of sufficient size shall be provided to accommodate a bath tub or shower bath, water closet and lavatory basin. At least 530 millimetres clearance shall be provided in front of the tub or shower stall to an opposite wall face or 460 millimetres in front to another fixture over at least 600 millimetres length of the bath tub or shower. The centre line of the water closet shall be at least 400 millimetres away from an adjacent side wall and from a vanity cabinet. At least 460 millimetres clearance shall be provided in front of the water closet to the opposite wall or another fixture. The centre line of a lavatory basin shall be at least 400 millimetres from an adjacent side wall. At least 530 millimetres clearance shall be provided in front of the lavatory basin to an opposite wall or 460 millimetres clearance in front to another fixture. The centre line of squatting shall be at least 500mm from an adjacent side wall and at least 600mm clearance shall be provided in front of the lavatory basin to an opposite wall.

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